

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

BILL DAVID MEADOR, )  
Petitioner, )  
v. ) No. 2:22-CV-46-RWS  
DAN REDINGTON, )  
Respondent. )

**MEMORANDUM AND ORDER**

This matter is before the Court upon review of petitioner Bill David Meador's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, and motion for leave to proceed *in forma pauperis*. The Court will grant petitioner leave to proceed *in forma pauperis*, and will dismiss the petition as an unauthorized second or successive petition.

**Background**

On March 16, 2005, a jury convicted petitioner of involuntary manslaughter and assault, and on June 3, 2005, petitioner was sentenced to serve two consecutive fifteen-year terms of imprisonment. *See State v. Meador*, No. 12R020300057-02 (12th Jud. Cir. 2005). The judgment was affirmed on appeal. *See State v. Meador*, 204 S.W. 3d 690 (Mo. Ct. App. 2006). On February 21, 2007, petitioner filed a motion seeking collateral relief, and on March 23, 2009, the motion court denied it. *See Meador v. State*, No. 07AA-CC00017 (12th Jud. Cir. 2007). The Missouri Court of Appeals affirmed the motion court's judgment, and issued its mandate on May 10, 2010. *See Meador v. State*, 308 S.W. 3d 264 (Mo. Ct. App. 2010). Petitioner also sought habeas relief in Missouri State court.

On February 22, 2011, petitioner filed a Petition Under 28 U.S.C. § 2254 for Writ of

Habeas Corpus in this United States District Court, seeking to challenge the above 2005 Missouri State court judgment. *Meador v. Cassady*, 4:11-CV-322-RIA (E.D. Mo. 2011) (hereafter “*Meador I*”). On March 19, 2004, the District Court dismissed the petition after determining that one of petitioner’s claims was non-cognizable, and his remaining claims were procedurally barred. The judgment was affirmed by the United States Court of Appeals for the Eighth Circuit on January 8, 2015. Petitioner filed the instant Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus on or about August 2, 2022, seeking to challenge the same 2005 Missouri State court judgment he challenged in *Meador I*.

### **Discussion**

Petitioner seeks to challenge the same Missouri State court judgment he challenged in *Meador I*, which constituted an adjudication on the merits that renders future petitions under § 2254 challenging the same judgment “second or successive” petitions under 28 U.S.C. § 2244(b). Pursuant to 28 U.S.C. § 2244(b)(3)(A), before a second or successive petition permitted by § 2244(b) is filed in this Court, the petitioner must obtain an order from the Eighth Circuit Court of Appeals authorizing this Court to consider the petition. 28 U.S.C. § 2244(b)(3)(A).

Petitioner herein does not allege, nor does independent inquiry reveal, that he obtained the necessary authorization before filing the instant petition. As a result, the Court is without jurisdiction to consider petitioner’s request for relief. The Court finds it would not be in the interest of justice to require the transfer of this case to the Eighth Circuit Court of Appeals, and will instead dismiss the petition as an unauthorized second or successive petition. The Court finds there has been no substantial showing of the denial of a constitutional right, and will therefore not issue a certificate of appealability.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motion to proceed *in forma pauperis* (ECF No. 2) is **GRANTED**.

**IT IS FURTHER ORDERED** that petitioner Bill David Meador's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus is **DISMISSED** as an unauthorized second or successive petition. A separate Order of Dismissal shall accompany this Memorandum and Order.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

Dated this 4th day of August, 2022.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE